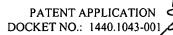
DMH/CAE/bmw(cmb)





NOTICE OF APPEAL FROM THE PRIMARY EXAMINE

Hui Chen and John W. Lawler

Application No.:

09/606,763

Group: 1653 /

Filed:

June 29, 2000

Examiner: Chih Min Kam

Confirmation No.:

7609

For:

Purification and Use of Human Recombinant Cartilage

Oligomeric Matrix Protein

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:

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Date

Bowerman

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Sir:

1.

[X]

Applicant hereby appeals to the Board of Appeals from the decision dated June 10, 2003 of the Primary Examiner finally rejecting claims 37 and 90. The items checked below are appropriate:

Applicant hereby petitions to extend the time for filing a Notice of Appeal in

		response to the Office Action Made Final dated June 10, 2003 for one month from September 10, 2003 to October 10, 2003.	ne 10, 2003 for one month from			
2.	[]	A [] month extension of time to respond to the Office Action Made Final dated [] was filed on [] with payment of a \$[] lee				
		[] Applicant hereby petitions for an additional [] month extension of time to respond to the Office Action Made Final.				
3.	. []	A Request for Oral Hearing before the Board of Patent Appeals and Interferences is being filed concurrently herewith.	_			

88

		•									
4. Fees are submitted for the following:											
[.	X]	Extension of Time for o	ne mo	onth				\$	55.00		
[]	Additional Extension of	Time	e:							
		Fee for Extension	([] mo.)		\$		-			
		Less fee paid	([] mo.)	-	\$		-			
		Balance of fee due						\$	0		
[]	X]	Notice of Appeal						\$	165.00		
1]	Other						\$			
	, <u></u>						TOTAL	\$-	- 220.00		
5. Tl	5. The method of payment for the total fees is as follows:										
						ad.					
[./	[X] A check in the amount of \$220.00 is enclosed.										
[[] Please charge Deposit Account No. 08-0380 in the amount of \$[].										
Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes.											
Respectfully submitted,											
HAMILTON, BROOK, SMITH, REYNOLDS, P.											
				Regist Teleph	A. Egneration None: (9)	70.: 38 78) 34	1-0036				
\sim	1 2	CA 01740 0100									

Concord, MA 01742-9133 Date: October 9, 2003